

REMARKS

Claims 1-33 and 37 are pending. Upon entry of this response, claims 2-10, 12-16, 21-33, and 37-40 will be pending, claims 9, 10, 16, 23, 24, and 32 having been amended, claims 38-40 added, and claims 1, 11, and 17-20 canceled in this response. The claim amendments and the new claims find support in the specification and claims. Accordingly, there are no issues of new matter.

Allowable Subject Matter

Claims 2-8, 12-16, 21, 22, 25-33, and 37 were allowed. Claims 16 and 32 have been amended to correct minor typographical errors.

Double Patenting Rejections

Claims 17-20 were rejected under the judicially created doctrine of double patenting as being allegedly unpatentable over claims 1-4, 6, 12, and 19-21 of U.S. Patent No. 6,612,971 (“the ‘971 patent”). Claims 23 and 24 were rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 7-18 of the ‘971 patent.

Claims 17-20 have been canceled, rendering their rejections moot. Claims 23 and 24 have been amended to depend from allowed claim 22. Accordingly, claims 23 and 24 are not believed to be subject to double patenting for at least the same reasons as allowed claim 22. Withdrawal of the rejections is therefore requested.

102 Rejections

Claims 1 and 11 were rejected under 35 U.S.C. 102(a) as being allegedly anticipated by Cheng (USP 6,338,355). Claims 17, 23, and 24 were rejected under 35 U.S.C. 102(b) as being allegedly anticipated by Eschenbach (USP 5,529,554).

Claims 1, 11, and 17 have been canceled, rendering their rejections moot. Claims 23 and 24 have been amended to depend from allowed claim 22. Claim 24 has been further amended to correct a minor typographical error. Accordingly, claims 23 and 24 are believed to be allowable for at least the same reasons as allowed claim 22. Withdrawal of the rejections is therefore requested.

103 Rejections

Claims 9 and 10 were rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Cheng in view of Bermel (USP 6,488,130).

Claims 9 and 10 have been amended to depend from allowed claim 2. Accordingly, claims 9 and 10 are believed to be allowable for at least the same reasons as allowed claim 2. Withdrawal of the rejections is therefore requested.

New Claims

New claim 38 depends from allowed claim 2 and includes claim language from canceled claim 1. New claim 39 depends from allowed claim 2 and includes claim language from canceled claim 11. New claim 40 depends from allowed claim 21 and includes claim language from canceled claim 17.

Accordingly, claims 38-40 are believed to be allowable for at least the same reasons as their respective allowed independent claims.

CONCLUSION

The application is believed to be in condition for allowance. Accordingly, Applicant requests that the response be entered and considered by the Examiner.

The Examiner is invited to call the undersigned at (202) 220-4200 to discuss any information concerning this application.

The Office is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

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